

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Commerce, Public Policy and Interstate Cooperation, to which was referred Senate Bill No. 198, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 4-6-2-12 IS ADDED TO THE INDIANA CODE
- 4 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 5 1, 2008]: **Sec. 12. The attorney general shall establish a schedule of**
- 6 **uniform rates and charges allowed to be charged by a towing**
- 7 **service for the cost of the services related to the removal, storage,**
- 8 **and disposal of an abandoned vehicle as required under**
- 9 **IC 9-22-1-4.5.**
- 10 SECTION 2. IC 9-13-2-1 IS AMENDED TO READ AS FOLLOWS
- 11 [EFFECTIVE JULY 1, 2008]: Sec. 1. **(a)** "Abandoned vehicle" means
- 12 the following:
- 13 (1) A vehicle located on public property illegally.
- 14 (2) A vehicle left on public property without being moved for
- 15 three (3) days.
- 16 (3) A vehicle located on public property in such a manner as to
- 17 constitute a hazard or obstruction to the movement of pedestrian
- 18 or vehicular traffic on a public right-of-way.
- 19 (4) A vehicle that has remained on private property without the
- 20 consent of the owner or person in control of that property for more
- 21 than forty-eight (48) hours.

(5) A vehicle from which the engine, transmission, or differential has been removed or that is otherwise partially dismantled or inoperable and left on public property.

(6) A vehicle that has been removed by a towing service or public agency upon request of an officer enforcing a statute or an ordinance other than this chapter if the impounded vehicle is not claimed or redeemed by the owner or the owner's agent within twenty (20) days after the vehicle's removal.

(7) A vehicle that is at least three (3) model years old, is mechanically inoperable, and is left on private property continuously in a location visible from public property for more than twenty (20) days.

(b) The term includes a vehicle that is:

(1) ordered to be towed or transported:

(A) from a highway, a street, or an adjacent area of a highway or street by a law enforcement officer; or

(B) from private property by the owner, lessee, or manager of the property; or

(2) towed or transported by a towing service in an arrangement made by a law enforcement officer or law enforcement agency with the towing service."

Page 2, line 6, delete "bureau" and insert "**attorney general**".

Page 2, between lines 13 and 14, begin a new paragraph and insert:

"SECTION 4. IC 9-22-1-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 8. If the properly identified person who owns or holds a lien on a vehicle appears at the site of storage before disposal of the vehicle or parts and pays:

(1) all costs incurred against the vehicle or parts at that time; or

(2) the amount that would be owed against the vehicle or parts under the rates and charges for services established under section 4.5(a) of this chapter;

the vehicle or parts shall be released."

Page 4, line 9, delete "bureau of".

Page 4, line 10, delete "motor vehicles" and insert "**attorney general**".

Page 4, line 13, delete "commissioner of" and insert "**attorney**

- 1 **general."**
- 2 Page 4, delete line 14.
- 3 Renumber all SECTIONS consecutively.
(Reference is to SB 198 as introduced.)

and when so amended that said bill do pass .

Committee Vote: Yeas 7, Nays 0.

Senator Riegsecker, Chairperson